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April 6, 2022

Via ECF

Honorable Brian M. Cogan
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Shaw-Nae Dixon, et al. v. Bill DeBlasio, et al.
Civil Action No. 1:21-cv-05090-BMC
Our File No. 01016

Dear Judge Cogan:

Please accept this letter as a request for a pre-motion conference, in keeping with Your Honor's Individual Practices.

Presently, we are preparing a response to Your Honor's *sua sponte* Order to Show Cause why this case should not be dismissed as moot. While we intend to submit a complete response to same, we note that such complaint seeks damages due to the alleged unconstitutional and illegal acts of the Mayor and City of New York, in addition to the equitable relief which had been sought. Since filing of the Verified Complaint and Order to Show Cause Seeking Temporary Restraints and a Preliminary Injunction, in September 2021, a great deal of information has come out with respect to the purported COVID-19 vaccines, the City's motives related to the Emergency Executive Orders which led to the filing of the Verified Complaint, and the damages which we assert have been caused thereby.

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We had not previously sought to file an Amended Complaint since we have focused our client's resources on the appeal which had been pending in this matter, and since defendants had not yet filed a responsive pleading to the Verified Complaint. However, our intention always had been to file an Amended Complaint once the Second Circuit Court of Appeals disposed of our appeal on the merits, and this matter was remanded to the District Court.

If for no other reason, given the very important issues raised in this case-including issues of national importance - - we respectfully request permission to file a Motion Seeking Leave to Amend Complaint, pursuant to *Fed. R. Civ. P. 15*.

We thank Your Honor for consideration of the above.

Respectfully yours,

MURRAY-NOLAN BERUTTI LLC

Ronald A. Berutti

By: _____
Ronald A. Berutti

RAB:jm

cc: Kerri A. Devine, Esq. (via ECF)